

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CONTRACTORS BONDING AND
INSURANCE COMPANY,

Plaintiff,

v.

YUE H. LEI, dba K&D
CONSTRUCTION, et al.

Defendant.

Case No. C 08-01973 JL

SECOND STIPULATION AND ORDER FOR
EXTENSION OF DEADLINES FOR ORDER
SETTING INITIAL CASE MANAGEMENT
CONFERENCE AND DEADLINES

IT IS HEREBY STIPULATED BY AND BETWEEN THE PARTIES TO THIS ACTION,
through their Attorneys of Record herein:

Contractors Bonding and Insurance Company ("CBIC"), Yue H. Lei dba K&D
Construction ("K&D"), Susan Marsh ("Marsh") and Richard Jacquot ("Jacquot") have
agreed to continue the deadlines set forth in the Stipulation and Order for Extension of
Deadlines for Order Setting Initial Case Management Conference and Deadlines (Docket 8)
to allow the parties to this action to participate in an early mediation of the underlying

1 action, *Marsh, et al. v. Kin Wong, et al.*, Action No. CGC 05444356, San Francisco Superior
 2 Court, (the "underlying matter") towards resolution of it and the present action. It is
 3 anticipated that the mediation in the underlying matter will be scheduled in before
 4 December 31, 2008.

5 The parties have agreed and hereby stipulate to the following:

- 6 1. All parties hereby consent to proceed before Magistrate Judge Larson and have
 7 each filed a Consent to Proceed Before A United States Magistrate Judge.
- 8 2. CBIC grants to Yue H. Lei dba K&D Construction an open extension of time to
 9 respond to the Complaint for Declaratory Relief herein. Said open extension
 10 shall expire 10 days after the date set for mediation of the underlying matter.
- 11 3. CBIC grants to Susan Marsh and Richard Jacquot an open extension of time to
 12 respond to the Complaint for Declaratory Relief herein. Said open extension
 13 shall expire 10 days after the date set for mediation of the underlying matter.
- 14 4. The parties agree to participate in mediation of the underlying matter on or
 15 before December 31, 2008 before a mediator selected by the parties. The
 16 parties agree that mediation of the underlying matter may facilitate resolution
 17 of the present action and/or assist in the narrowing of issues in dispute herein.

18 Accordingly, the parties stipulate and request that the dates which are set forth in
 19 the July 8, 2008 Oder Continuing Case Management Conference re [6] Stipulation filed by
 20 Contractors Bonding and Insurance Company and signed by Judge James Larson on
 21 7/8/09, and as outlined herein, be continued to the convenience of the Court and to allow
 22 the parties to mediate this matter, as follows:

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///


Scheduled Event	Scheduled Date	Proposed Continued Date
Last day to <ul style="list-style-type: none"> meet and confer re initial disclosures, early settlement, ADR process selection and discovery plan file Joint ADR Certification with Stipulation to ADR process or Notice of Need for ADR Phone Conf. 	9/24/08	Three Weeks Prior to Continued CMC Date
Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 269F) Report and file CMC Statement per Standing Order re Contents of Joint Case Management Statement	10/8/08	One Week Prior to Continued CMC Date
Initial Case Management Conference (CMC)	10/15/08	XXXXXX February 18, 2009 @ 10:30 a.m.

IT IS SO STIPULATED.

Dated: September ³⁰26, 2008

ROGER, SCOTT & HELMER LLP

By:



Norman J. Roger

Patricia M. Fama

Attorney for Plaintiff

CONTRACTORS BONDING AND
INSURANCE COMPANY

///

///

///

///

1 IT IS SO STIPULATED.

2 Dated: September 27, 2008

SELVIN, WRAITH & HALMAN LLP

3 By: 

4 Gary Selvin, Esq.

5 Attorneys for Defendant

6 YUE M. LEI DBA K&D CONSTRUCTION

7 IT IS SO STIPULATED.

8 Dated: September __, 2008

WINCHELL & TRUETT

9 By: _____

10 Harold J. Truett, III, Esq.

11 Attorneys for Defendant

12 SUSAN MARSH and RICHARD JACQUOT

13 IT IS SO ORDERED.

14 Dated: ~~September~~ __, 2008

15
16
17 _____
18 Magistrate Judge of the United States District
19 Court

20
21
22
23
24 #135264
25
26
27
28

1 IT IS SO STIPULATED.

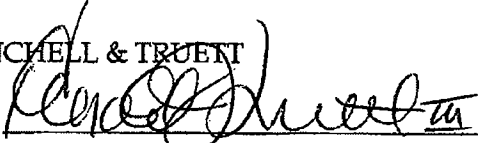
2 Dated: September __, 2008

SELVIN, WRAITH & HALMAN LLP

3 By: _____
4 Gary Selvin, Esq.
5 Attorneys for Defendant
6 YUE M. LEI DBA K&D CONSTRUCTION

7 IT IS SO STIPULATED.

8 Dated: September 29, 2008

9 WINCHELL & TRUETT
10 By: 
11 Harold J. Truett, III, Esq.
12 Attorneys for Defendant
13 SUSAN MARSH and RICHARD JACQUOT

14 IT IS SO ORDERED.

15 Dated: October 1
16 September __, 2008

17 
18 Magistrate Judge of the United States District
19 Court

20
21
22
23
24 #135264
25
26
27
28